

FEE PAID

#110.00
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RECEIVED

APR 27 1995

DEPT. OF ECOLOGY

I have examined this application
as required by law and find that
it is: ☐ not an "action".

☒ SURFACE WATER ☒ GROUND WATER
☒ categorically exempt.

\$10.00 MINIMUM STATUTORY EXAMINATION FEE REQUIRED WITH APPLICATION

SIGNATURE (GRAY BOXES FOR OFFICE USE ONLY)

WASHINGTON STATE
DEPARTMENT OF
ECOLOGY

APPLICATION NO. <u>61-27609</u>	W.R.I.A. <u>1</u>	COUNTY <u>Whatcom</u>	PRIORITY DATE <u>4-27-95</u>	TIME	ACCEPTED <u>JB</u>
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APPLICANT'S NAME — PLEASE PRINT

Albert P. DurkeeBus. Tel. 671-1841Home Tel. 671-1841Other Tel. mess.

ADDRESS (STREET) <u>1130 N. Garden #B</u>	(CITY) <u>Bellingham</u>	(STATE) <u>WA</u>	(ZIP CODE) <u>98225</u>
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DATE & PLACE OF INCORPORATION IF APPLICANT IS A CORPORATION

1. SOURCE OF SUPPLY

IF SURFACE WATER

SOURCE (NAME OF STREAM, LAKE, SPRING, ETC.) (IF UNNAMED, SO STATE)

TRIBUTARY

IF GROUND WATER

SOURCE (WELL, TUNNEL, INFILTRATION TRENCH, ETC.)

SIZE AND DEPTH

Well
6" casing 75' depth

2. USE

USE TO WHICH WATER IS TO BE APPLIED (DOMESTIC SUPPLY, IRRIGATION, MINING, MANUFACTURING, ETC.)

IrrigationENTER QUANTITY OF WATER
REQUESTED USING UNITS OF:

CUBIC FEET PER SECOND (CFS)

OR

GALLONS PER MINUTE (GPM)

ACRE FEET PER YEAR

10 gpm2

TIMES DURING YEAR WATER WILL BE REQUIRED

Irrigation - May - October

IF IRRIGATION, NUMBER OF ACRES

2IF DOMESTIC USE, NUMBER OF
UNITS BY TYPE, E.G. 1-HOME,
1-MOBILE HOME, 2-CAMPSITES, ETC.1 homeIF MUNICIPAL USE, ESTIMATED
POPULATION
20 YEARS FROM TODAY

DATE PROJECT WAS OR WILL BE STARTED

6/15/95

DATE PROJECT WAS OR WILL BE COMPLETED

10/15/96

3. LOCATION OF POINT OF DIVERSION/WITHDRAWAL

3A. IF IN PLATTED PROPERTY

LOT	BLOCK	OF (GIVE NAME OF PLAT OR ADDITION)	SECTION	TOWN	RANGE	ALSO, PLEASE ENCLOSE A COPY OF THE PLAT AND MARK THE POINT(S) OF WITHDRAWAL OR DIVERSION
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X274 Y188

3B. IF NOT IN PLATTED PROPERTY

ON ACCOMPANYING SECTION MAPS, ACCURATELY MARK AND IDENTIFY EACH POINT OF DIVERSION, SHOW
NORTH-SOUTH AND EAST-WEST DISTANCES FROM NEAREST SECTION CORNER OR PROPERTY CORNER

ALSO, ENTER BELOW THE DISTANCES FROM THE NEAREST SECTION OR PROPERTY CORNER TO THE DIVERSION OR WITHDRAWAL.

approx 1000' from 1/4 corner at Goshen Rd.

LOCATED WITHIN (SMALLEST LEGAL SUBDIVISION)	SECTION	TOWNSHIP N.	RANGE (E. OR W.) W.M.	COUNTY
<u>NW 1/4 of SE 1/4</u>	<u>19</u>	<u>39N</u>	<u>4E</u>	<u>Whatcom</u>

4. DO YOU OWN THE LAND ON WHICH THIS SOURCE IS LOCATED. IF NOT, INSERT NAME & ADDRESS OF OWNER

Yes

5. LEGAL DESCRIPTION OF PROPERTY ON WHICH WATER IS TO BE USED

ATTACH A COPY OF THE LEGAL DESCRIPTION OF THE PROPERTY (ON WHICH THE WATER WILL BE USED) TAKEN FROM
A REAL ESTATE CONTRACT, PROPERTY DEED OR TITLE INSURANCE POLICY. OR, COPY CAREFULLY IN THE SPACE BELOW.attached



WHAT IS YOUR INTEREST IN THE PROPERTY ON WHICH THE WATER IS TO BE USED (PROPERTY OWNER, LESSEE, CONTRACT PURCHASER, ETC.)

Owner

ARE THERE ANY EXISTING WATER RIGHTS RELATED TO THE LAND ON WHICH THE WATER IS TO BE USED (INCLUDING WATER PROVIDED BY IRRIGATION DISTRICTS OR DITCH COMPANIES.)

☐ YES

☒ NO

IF YES, FROM WHAT SOURCE (i.e. SURFACE OR GROUND WATER) AND UNDER WHAT AUTHORITY

6. DESCRIPTION OF SYSTEM PROPOSED OR INSTALLED

(FOR EXAMPLE: SIZE OF PUMP, CAPACITY OF PUMP, PUMP MOTOR HORSE POWER, PIPE DIAMETER, NUMBER OF SPRINKLERS, ETC.)

3/4 HP Gould submersible pump

approx-1 acre of raised bed gardens with drip irrigation and some sprinklers.

Well permit # 17462

REMARKS

7. Domestic well supplying house/garden - would like water right to be able to market/sell produce from approx. 1 acre garden.

8. COMPLETE THIS SECTION ONLY IF THIS APPLICATION INCLUDES IRRIGATION AS A USE

IN ORDER TO IMPLEMENT THE PROVISIONS OF INITIATIVE MEASURE NUMBER 59, THE FAMILY FARM WATER ACT WHICH WAS PASSED BY THE VOTERS ON NOVEMBER 3, 1977, WE MUST ASK THE FOLLOWING QUESTIONS:

DOES THE TOTAL NUMBER OF ACRES IN WHICH YOU HAVE CONTROLLING INTEREST IN THE STATE OF WASHINGTON EXCEED 2000 ACRES FOR THE FOLLOWING THREE CATEGORIES:

1. LANDS THAT ARE BEING IRRIGATED UNDER WATER RIGHTS ACQUIRED AFTER DECEMBER 8, 1977.

YES ☐

NO ☒

2. LANDS THAT MAY BE IRRIGATED UNDER APPLICATIONS NOW ON FILE WITH THE DEPARTMENT OF ECOLOGY.

YES ☐

NO ☒

3. LANDS THAT MAY BE IRRIGATED UNDER THIS APPLICATION.

YES ☐

NO ☒

IF 10 ACRE-FEET OR MORE OF WATER IS TO BE STORED AND/OR IF THE WATER DEPTH WILL BE 10 FEET OR MORE AT THE DEEPEST POINT, A STORAGE PERMIT MUST BE FILED IN ADDITION TO THIS PERMIT. THESE FORMS CAN BE SECURED, TOGETHER WITH INSTRUCTIONS, FROM THE DEPARTMENT OF ECOLOGY.

SIGNATURES

Albert P. Durkee

LEGAL LANDOWNERS NAME
(PLEASE PRINT)

Albert P. Durkee

APPLICANT'S SIGNATURE

Albert P. Durkee

LEGAL LANDOWNER'S SIGNATURE (OWNER OF PROPERTY
DESCRIBED IN ITEM NUMBER 5)

1130 N. Garden #B

LEGAL LANDOWNER'S ADDRESS

Bellingham, WA 98225

FOR OFFICE USE ONLY

STATE OF WASHINGTON

DEPARTMENT OF ECOLOGY

SS.

This is to certify that I have examined this application together with the accompanying maps and data, and am returning it for correction or completion as follows:

.....

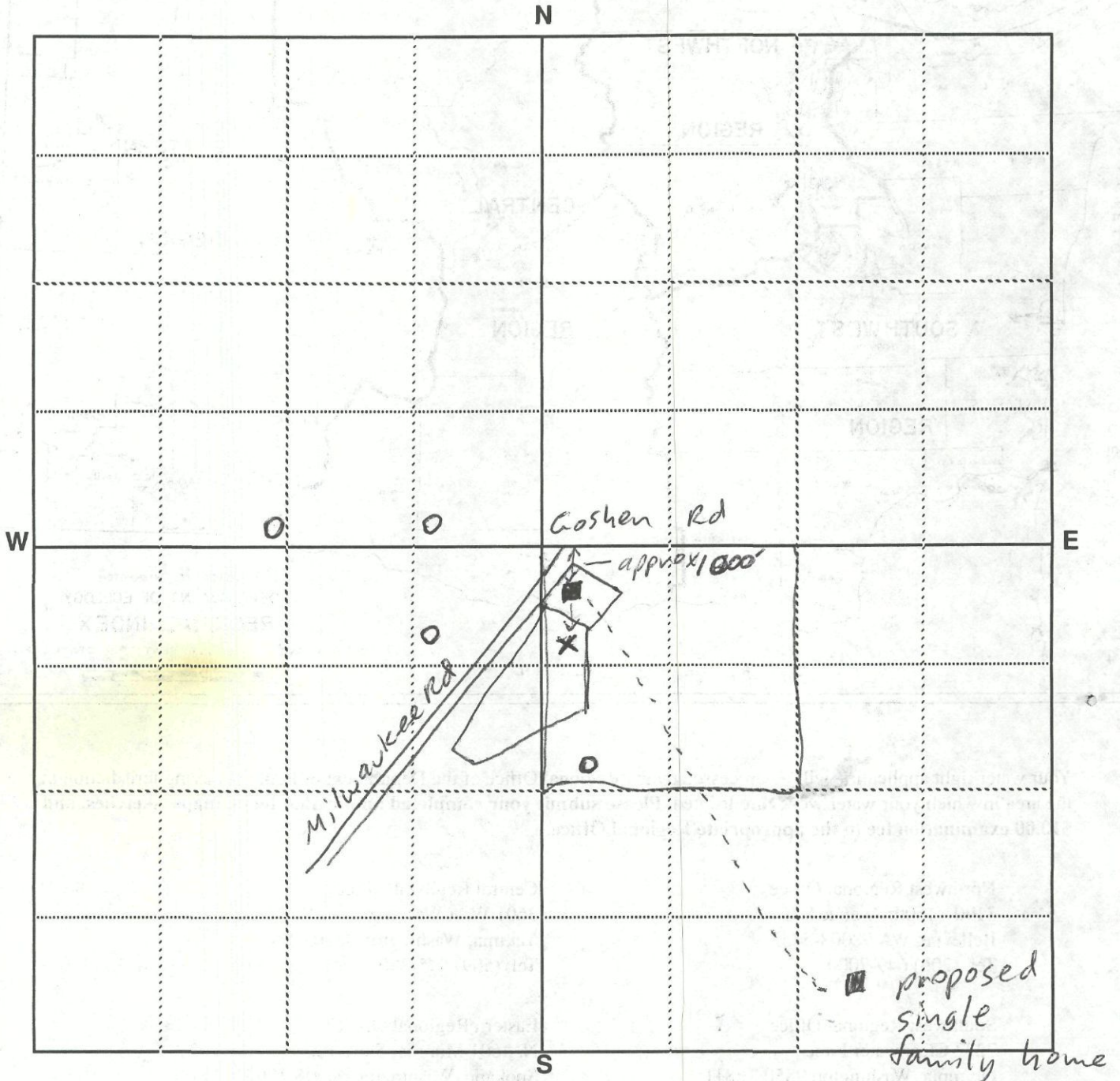
In order to retain its priority date, this application must be returned to the Department of Ecology, with corrections, on or before, 19.....

Witness my hand this day of, 19.....

SECTION MAP

NW 1/4 of SE 1/4 of S19

Sec. 19 Twp. 39 N N. R. 4 E



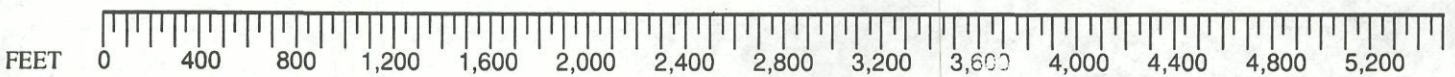
Scale: 1 inch = 800 feet (each small square = 10 acres)

Show by a cross (X) the location of point of diversion (surface water source) or point of withdrawal (ground water source). For ground water applications, show by a circle (O) the locations of other wells or works within a quarter of a mile. Indicate traveling directions from nearest town in space below.

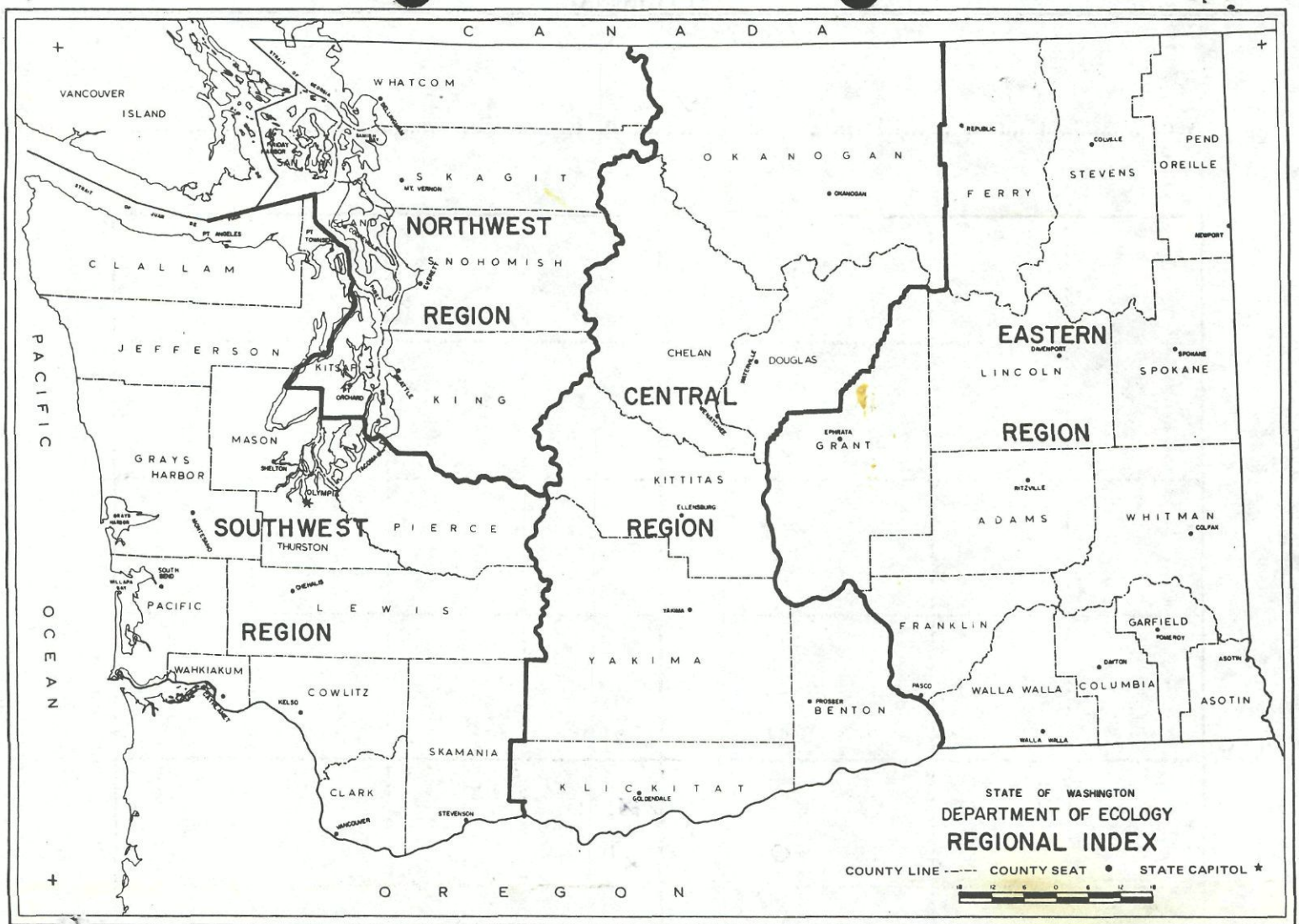
542 E to Sand Rd. North 2 1/2 miles to Goshen Rd.
West on Goshen approx 1 mi across Anderson Creek
to Milwaukee Rd. South on Milwaukee Rd. 2 mi

Detach here

Fold along scale



Detach this scale at the perforation, fold excess paper under or cut off excess by cutting along the scale line. This scale corresponds to the SECTION MAP above. You can read feet directly from this scale to outline property and locate points of diversion or withdrawal on the SECTION MAP. Enclose this map along with the application and \$10.00 examination fee.



Your water right application will be processed by the Regional Office of the Department of Ecology having jurisdiction in the area in which your water works are located. **Please submit your completed application form, maps, sketches, and \$10.00 examination fee to the appropriate Regional Office.**

Northwest Regional Office
3190 - 160th Avenue S.E.
Bellevue, WA 98008-5452
Tel. (206) 649-7000

Central Regional Office
3601 West Washington
Yakima, Washington 98903-1164
Tel. (509) 575-2800

Southwest Regional Office
7272 Cleanwater Lane
Olympia, Washington 98504-6811
Tel. (206) 586-6380

Eastern Regional Office
N. 4601 Monroe, Suite 100
Spokane, Washington 99205-1295
Tel. (509) 456-2926

The appropriate Regional Office will be happy to answer any further questions you may have.

EXHIBIT "A"

LEGAL DESCRIPTION

PARCEL A:

THAT PORTION OF THE FOLLOWING DESCRIBED PROPERTY WHICH LIES NORTHERLY OF THE CHICAGO, MILWAUKEE ST. PAUL AND PACIFIC RAILROAD SPUR TRACT:

A TRACT OF LAND SITUATE IN THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 19, TOWNSHIP 39 NORTH, RANGE 4 EAST OF W.M., IN WHATCOM COUNTY, WASHINGTON, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT AN IRON MONUMENT 3" x 4" x 18" LONG, SET 2" BELOW THE SURFACE OF THE GROUND, WHICH MONUMENT IS 25 FEET EASTERLY FROM THE CENTER OF THE MAIN TRACT OF THE B.B. AND B.C. RAILROAD, AND 245 FEET SOUTH AND 111.8 FEET EAST (VARIATION 22 DEGREES 30' EAST) OF THE CENTER OF SECTION 19 TOWNSHIP 39 NORTH, RANGE 4 EAST OF W.M., SAID CENTER OF SECTION 19 HAVING BEEN ESTABLISHED BY H.P. GILLETTE, DEPUTY COUNTY SURVEYOR, IN 1894; THENCE SOUTH 26 DEGREES 55' WEST, PARALLEL TO AND 25 FEET FROM THE CENTER LINE OF THE ABOVE MENTIONED RAILROAD TRACT 208.7 FEET; THENCE SOUTH 63 DEGREES 05' EAST 208.7 FEET; THENCE NORTH 26 DEGREES 55' EAST 208.7 FEET; THENCE NORTH 63 DEGREES 05' WEST 208.7 FEET TO AN IRON MONUMENT AT THE POINT OF BEGINNING;

ALSO, A TRACT IN THE WEST ONE HALF OF THE SOUTHEAST QUARTER OF SECTION 19, TOWNSHIP 39 NORTH, RANGE 4 EAST OF W.M., MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT ON THE QUARTER SECTION LINE IN THE SOUTHEAST QUARTER OF SECTION 19, TOWNSHIP 39 NORTH, RANGE 4 EAST OF W.M., ON THE SOUTHERLY SIDE OF THE RIGHT OF WAY OF THE B.B. AND B.C. RAILWAY COMPANY; THENCE RUNNING SOUTH TO THE QUARTER SECTION POST ON THE SOUTH LINE OF SAID SECTION; THENCE EAST ON SECTION LINES 208.7 FEET; THENCE NORTH TO THE SOUTHEASTERLY CORNER OF AN ACRE TRACT HERETOFORE CONVEYED TO P.G. COOKE BY DEED RECORDED IN VOLUME 47 OF DEEDS, PAGE 514, RECORDS OF WHATCOM COUNTY, WASHINGTON; THENCE NORTH 63 DEGREES 05' WEST ALONG THE SOUTHWESTERLY LINE OF SAID ACRE TRACT TO THE RIGHT OF WAY OF THE B.B. AND B.C. RAILROAD; THENCE SOUTHERLY ALONG SAID RIGHT OF WAY TO THE PLACE OF BEGINNING, LESS RAILROAD RIGHT OF WAY.

Continued on next page

Legal Description Continued
Policy No. W-33013

PARCEL A CONTINUED:

ALSO, ALL THAT PART OF THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 19, TOWNSHIP 39 NORTH, RANGE 4 EAST OF W.M., IN WHATCOM COUNTY, WASHINGTON, LYING EASTERLY OF THE RIGHT OF WAY ON THE CHICAGO, MILWAUKEE, ST. PAUL AND PACIFIC RAILWAY COMPANY;

EXCEPTING THEREFROM ANY PORTION THEREOF SITUATED WITHIN THE CHICAGO, MILWAUKEE, ST. PAUL AND PACIFIC COMPANY AS CONVEYED TO BELLINGHAM BAY AND BRITISH COLUMBIA RAILROAD COMPANY BY RIGHT OF WAY DEEDS AND WARRANTY DEED AS FOLLOWS:

1. RIGHT OF WAY DEED, RECORDED FEBRUARY 6, 1890, IN VOLUME 13 OF DEEDS, PAGE 369, UNDER AUDITOR'S FILE NO. 2029, RECORDS OF WHATCOM COUNTY, WASHINGTON.
2. RIGHT OF WAY DEED, RECORDED FEBRUARY 6, 1890, IN VOLUME 13 OF DEEDS, PAGE 394, UNDER AUDITOR'S FILE NO. 2088, RECORDS OF WHATCOM COUNTY, WASHINGTON.
3. WARRANTY DEED, RECORDED NOVEMBER 13, 1914, IN VOLUME 132 OF DEEDS, PAGE 201, UNDER AUDITOR'S FILE NO. 179726, RECORDS OF WHATCOM COUNTY, WASHINGTON.

SITUATE IN WHATCOM COUNTY, WASHINGTON

PARCEL B:

THAT PORTION OF THE EASTERLY HALF OF ALL THAT PART OF THE FORMER CHICAGO, MILWAUKEE, ST. PAUL AND PACIFIC RAILROAD COMPANY RIGHT OF WAY IN THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER AND IN THE SOUTHWEST QUARTER OF SECTION 19, TOWNSHIP 39 NORTH, RANGE 4 EAST OF W.M., ABUTTING SAID PARCEL A.

SITUATE IN WHATCOM COUNTY, WASHINGTON

Continued on next page

Legal Description Continued
Policy No. W-33013

PARCEL C:

A 30 FOOT WIDE EASEMENT FOR INGRESS, EGRESS AND UTILITIES OVER THE WESTERLY 30 FEET OF THE EASTERLY HALF OF ALL THAT PART OF THE FORMER CHICAGO, MILWAUKEE, ST. PAUL AND PACIFIC RAILROAD RIGHT OF WAY IN THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER AND IN THE SOUTHWEST QUARTER OF SECTION 19, TOWNSHIP 39 NORTH, RANGE 4 EAST OF W.M.

SITUATE IN WHATCOM COUNTY, WASHINGTON

END OF EXHIBIT "A"